

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x
 YURMAN STUDIO, INC. and YURMAN
DESIGN, INC., : Civil Action No. 07-1241 (SAS)(HP)
 : (Action No. 1)

Plaintiffs/Counter-Defendants, :

- against - :

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM, :

Defendants/Counter-Plaintiffs. :

----- x
 ----- x
 :
 CARTIER, a division of RICHEMONT NORTH
AMERICA, INC., CARTIER INTERNATIONAL, :
N.V., CARTIER CREATION STUDIO, S.A., VAN
CLEEF & ARPELS S.A., VAN CLEEF &
ARPELS, INC., VAN CLEEF & ARPELS
DISTRIBUTION, INC., GUCCI AMERICA, INC.,
and BULGARI S.p.A., :

Plaintiffs, :

- against - :

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM, :

Defendants. :

----- x
 : Civil Action No. 07-7862 (SAS)(HP)
 (Action No. 2)

**DECLARATION OF BHARAT DUBE IN SUPPORT OF THE CARTIER PLAINTIFFS
MOTION FOR PARTIAL SUMMARY JUDGMENT**

EXHIBIT L

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

REGIS

VA 1-130-790



EFFECTIVE DATE OF REGISTRATION

AUG 09 2001

Month Day Year

1

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

AGRAFE

NATURE OF THIS WORK ▼ See Instructions

Jewelry Bracelet

PREVIOUS OR ALTERNATIVE TITLES ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Page ▼

2 NAME OF AUTHOR ▼

Cartier International B.V.

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

a

Was this contribution to the work a "work made for hire"?

Yes
 No

Author's Nationality or Domicile
Name of Country

OR
Citizen of ▶
Domiciled in ▶

Was This Author's Contribution to the Work

Anonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.
Pseudonymous? Yes No

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Check appropriate box(es). See Instructions

<input type="checkbox"/> 3-Dimensional sculpture	<input type="checkbox"/> Map	<input type="checkbox"/> Technical drawing
<input type="checkbox"/> 2-Dimensional artwork	<input type="checkbox"/> Photograph	<input type="checkbox"/> Text
<input type="checkbox"/> Reproduction of work of art	<input checked="" type="checkbox"/> Jewelry design	<input type="checkbox"/> Architectural work

b NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes
 No

Author's Nationality or Domicile
Name of Country

OR
Citizen of ▶
Domiciled in ▶

Was This Author's Contribution to the Work

Anonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Check appropriate box(es). See Instructions

<input type="checkbox"/> 3-Dimensional sculpture	<input type="checkbox"/> Map	<input type="checkbox"/> Technical drawing
<input type="checkbox"/> 2-Dimensional artwork	<input type="checkbox"/> Photograph	<input type="checkbox"/> Text
<input type="checkbox"/> Reproduction of work of art	<input checked="" type="checkbox"/> Jewelry design	<input type="checkbox"/> Architectural work

3

a

Year in Which Creation of This Work Was Completed

2000

This information must be given in all cases.

Date and Nation of First Publication of This Particular Work

Month ▶ November

Day ▶ 1

Year ▶ 2000

◀ Nation

Complete this information ONLY if this work has been published.

4

a

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Cartier International B.V.
Herengracht 436, BZ 1017 Amsterdam, Netherlands

APPLICATION RECEIVED

AUG 09 2001

ONE DEPOSIT RECEIVED

AUG 09 2001

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

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Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

MORE ON BACK ▶

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.

• See detailed instructions.

• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY Vg FORM VA

CHECKED BY _____

CORRESPONDENCE
Yes

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DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

a. This is the first published edition of a work previously registered in unpublished form.

b. This is the first application submitted by this author as copyright claimant.

c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

a
See instructions
before completing
this space.

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

7

a

b

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

William P. Berridge
OLIFF & BERRIDGE, PLC
P.O. Box 19928, Alexandria, Virginia 22320

Area code and daytime telephone number ► (703) 836-6400

Fax number ► (703) 836-2787

Email ► commcenter@oliff.com

check only one ►

author
 other copyright claimant
 owner of exclusive right(s)

 authorized agent of Cartier International B.V.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

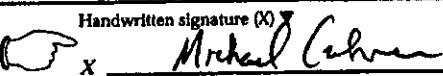
8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Michael S. Culver

Date ► August 9, 2001

Handwritten signature (X) 

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼
William P. Berridge
OLIFF & BERRIDGE, PLC
Number/Street/Apt ▼
P.O. Box 19928
City/State/ZIP ▼
Alexandria, Virginia 22320

YOU MUST
• Complete all necessary spaces
• Sign your application in space 8

SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

9

As of July 1, 1998,
the filing fee for
Form VA is \$30.

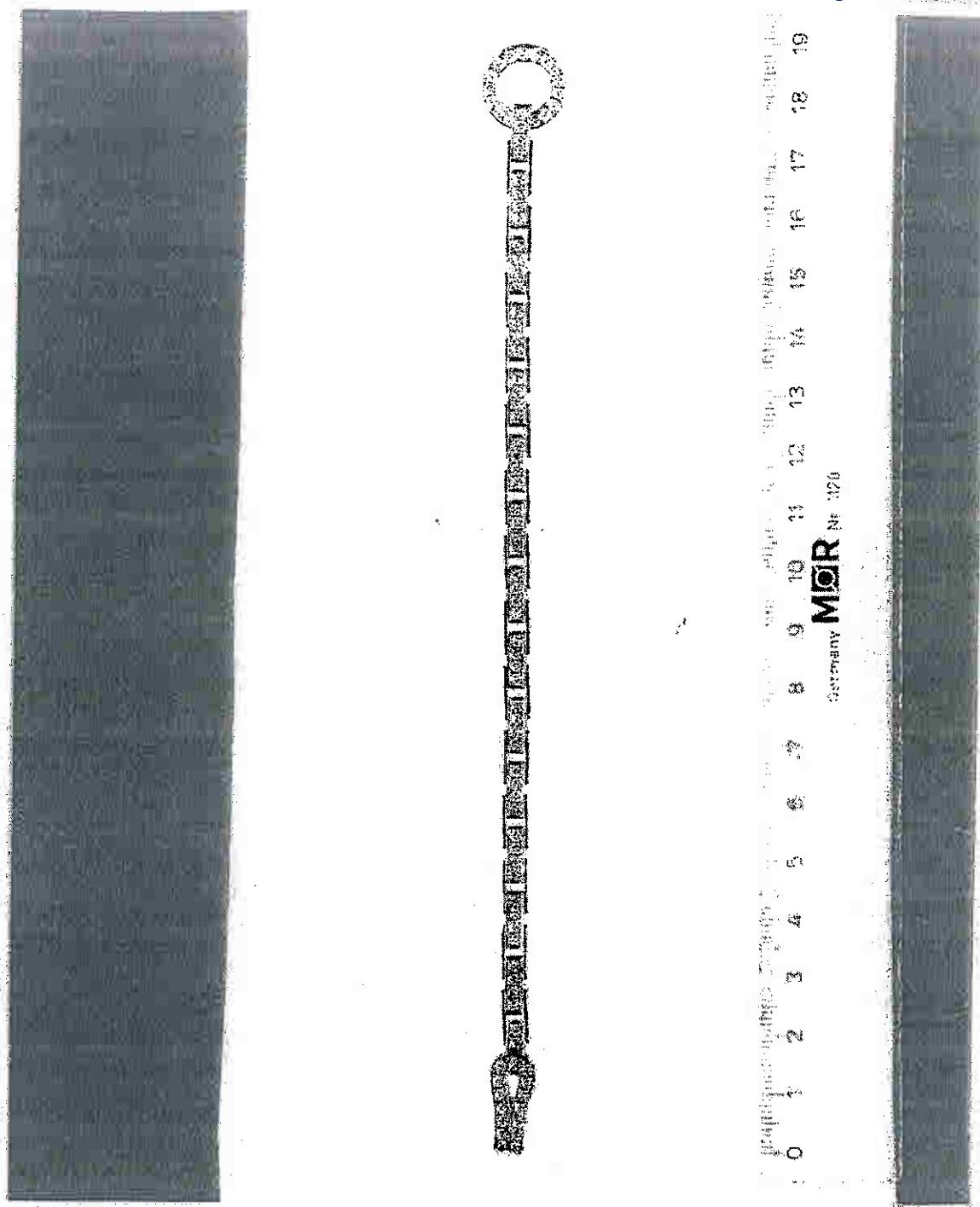
MAIL TO
Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

June 1999—100,000
WEB REV: June 1999

PRINTED ON RECYCLED PAPER

*U.S. GOVERNMENT PRINTING OFFICE: 1999-454-879/71



bracket key France USA 06/14/2000

Overstock Jeweler 

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CATEGORIES

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Chandelier Earrings

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Pearl Butterfly CZ Pave Ring
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PLAINTIFF'S EXHIBIT
83
21808 74

Skull Jewelry

DEPARTMENTS

Watches

Bracelets

Necklaces & Pendants

Earrings

Rings

Pins & Brooches

Ankle Bracelets

Accessories

Baby Gifts & Charms

Shop by Price

Wholesale Silver Jewelry

Gift Certificates

Affiliate Program

Wish List Program

Ring Size Chart

Shipping Policy

Celebrity Jewelry Blog

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Ring Size Chart

Shipping Policy

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DESCRIPTION

Inspired by Cartier's famous Agrafe design, this bracelet is made of .925 sterling silver with rhodium plating to provide the look of platinum. This 'circle and hook' ring is fully pave-set with sparkling diamond Cubic Zirconia stones all around. Simple and elegant. Although not 100 percent Cartier you still get 100 percent of the look and feel. The designer's original piece could retail for thousand of dollars and now you can get the same look for much less. Great value for a bargain price!

Measures:

Will fit an 8" wrist

Weight:

16 grams

Material:

.925 sterling silver Cubic Zirconia

Category:

bracelet bangle Cartier esque bridal .925 sterling silver cubic zirconia circles

Customer Reviews:

I just got my marquis cut tennis bracelet via UPS. I can't believe it came so fast! And it's absolutely stunning, beautiful and perfect. I've said jewelry in major retail chains and this bracelet could compete with any tennis bracelet out there. It looks so expensive. I'm the most spoiled girl on my block (so my neighbors think). I can't believe how inexpensive it was, seeing it in person. I would have paid twice as much, and STILL tell that I got a bargain. This is a good store, everyone. Feel safe purchasing from them.

This Item Includes:

- No Sales Tax except for NY
- 30-Day Moneyback Guarantee
- Item is shipped in velvet pouch.
- Free Gift box and Free Gift Message!

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Sterling Silver & CZ Necklaces & Pendants > Cartier -esque Inspired Pave CZ Heart Clasp Sterling Silver Anchor Link Agate Necklace

Carter -esque Inspired Pave CZ Heart Clasp Sterling Silver Anchor Link Agate Necklace

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Item #: **SG-3489-ASH**

List Price: **\$49.99**

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Necklace Sliding Clasp

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Matching Items

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PLAINTIFF'S EXHIBIT

*84
2/8/08 J*

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Tiffany Inspired Jewelry
David Yurman Inspired Jewelry
Designer Inspired Jewelry
Designer Inspired Baby Charms
Men's Jewelry
Judit Leiber Inspired Bags

CATEGORIES

Engagement Rings
Chandelier Earrings
Bridal Jewelry
Heart Shaped Jewelry
Tennis Bracelets & Necklaces
Chains
Cufflinks
Clover Jewelry
Religious Jewelry
Equestrian Jewelry
Earth Elements

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DEPARTMENTS

[Skill Jewelry](#)

[Watches](#)

[Bracelets](#)

[Necklaces & Pendants](#)

[Earrings](#)

[Rings](#)

[Pins & Brooches](#)

[Ankle Bracelets](#)

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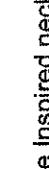
[Baby Gifts & Charms](#)

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[Tiffany Inspired Hearts Collection Diamond CZ Charm Bracelet](#)

[Click to enlarge](#)



[Designer Inspired Sterling Silver Diamond CZ Pave Heart Pendant](#)

[Click to enlarge](#)

DESCRIPTION:

Breathtakingly gorgeous! This stunning Cartier-esque Inspired necklace is the perfect gift to give to that special someone. Show your love and devotion with this lovely Cartier inspired piece. Not an identical Cartier reproduction, this necklace is strikingly similar to the real thing. Anchor link chain alternates between .925 sterling silver and pave encrusted links. A pave encrusted open heart acts as the centerpiece. Hook clasp closure provides extra security, without sacrificing style.

Measures:

17" in length

Weight:

34 grams

Material:

.925 Sterling Silver Rhodium Plated Cubic Zirconia CZ

Category:

necklace charm anchor link Tiffany Inspired heart link pave CZ

All measurements are approximate. Designer mentioned does not make this item. Please read our [disclaimer](#).

CUSTOMER REVIEWS:

Earrings are beautiful! Looks to be much more expensive than what I paid. I received items very quickly. Will be shopping more on this web site!

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INTERNATIONALLY

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Page 2 of 3

Skull Jewelry

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Watches

Bracelets

Necklaces & Pendants

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Rings

Pins & Brooches

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Shop by Material

Shop by Style

Shop by Shape

Shop by Size

Shop by Weight

Shop by Condition

Shop by Origin

Shop by Brand

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Shop by Brand

Shop by Type

Shop by Material

Shop by Color

Shop by Style

Shop by Shape

Shop by Size

Shop by Weight



Click to enlarge

Click to enlarge

Click to enlarge

DESCRIPTION

Inspired by Cartier's famous Agrafe design, this ring is made of .925 sterling silver and rhodium plated to resist tarnish. This 'circle and hook' ring is fully pave-set with sparkling diamond CZ stones all around. Simple and elegant. The designer's original piece could retail for thousand of dollars and now you can get the same look for much less.

Measures:

Weight:

Material:

Category:

Description:

Recently Viewed Items:

Customer Reviews:

Shopping Services:

Wholesale Silver Jewelry

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Affiliate Program

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Ring Size Chart

Shipping Policy

Celebrity Jewelry Blog

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- 30-Day Moneyback Guarantee
- Item is shipped in velvet pouch.
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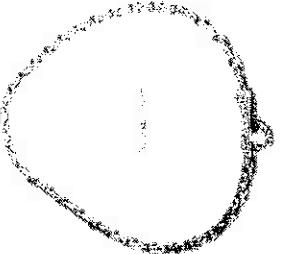
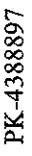


Cartier -esque

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Cartier -esque

The Cartier U.S. Copyrighted Design & The Overstock Jeweler Infringing Products

U.S. Copyright Reg. No.	Cartier Item / Deposit Material	OverstockJeweler.com Item & Item No.	
VA 1-130-790	 A black and white photograph of a Cartier Panthere bracelet. It features a coiled panther head motif with a diamond-set eye and a diamond-set collar, set against a textured metal background. The bracelet is shown from a slightly elevated angle, highlighting its three-dimensional design.	 A black and white photograph of a bracelet from Overstock Jeweler. It has a similar coiled panther head motif but lacks the diamond-set eye and collar. The design is less intricate than the Cartier version.  A black and white photograph of another bracelet from Overstock Jeweler. This one features a large, prominent coiled panther head motif with a diamond-set eye and a diamond-set collar, very similar in design to the Cartier bracelet.  A black and white photograph of a third bracelet from Overstock Jeweler. It has a coiled panther head motif but lacks the diamond-set eye and collar, appearing simpler than the others.  A black and white photograph of a fourth bracelet from Overstock Jeweler. It features a coiled panther head motif with a diamond-set eye and a diamond-set collar, matching the Cartier bracelet in design.	